

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PHILIP J. SYZEMORE,

Petitioner,

No. CIV S-05-0775 MCE PAN P

vs.

BOARD OF PRISON TERMS, et al.,

ORDER

Respondents.

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Petitioner is a state prisoner proceeding pro se and in forma pauperis with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 27, 2005, petitioner filed a motion for appointment of counsel. In light of the complexity of the legal issues involved, the court has determined that the interests of justice require appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

Accordingly, IT IS HEREBY ORDERED that:

1. This court's February 21, 2006 order denying petitioner's motion for appointment of counsel is vacated.
2. Petitioner's July 27, 2005 motion for appointment of counsel is granted.
3. The Federal Defender is appointed to represent petitioner.

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1 4. The Clerk of the Court is directed to serve a copy of the petition and this order
2 on David Porter, Assistant Federal Defender.

3 5. Petitioner's counsel is granted fifteen days from the date of this order to file
4 and serve supplemental objections to the court's November 23, 2005 findings and
5 recommendations.

6 DATED: February 23, 2006.

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9 UNITED STATES MAGISTRATE JUDGE

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